

<b>LIST OF REFERENCES CITED BY APPLICANT</b> (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 6923-118	<b>APPLICATION NO.</b> 10/713,732
	<b>APPLICANT</b> Palese et al.	
	<b>FILING DATE</b> November 14, 2003	<b>ART UNIT</b> 1648

U.S. PATENT DOCUMENTS					
*Examiner Initials		Document Number	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A02	5,766,601	06/16/98	Palese Ennis et al. [Corrected name of inventor on patent previously disclosed as A02 in Information Disclosure Statement filed March 23, 2007]	
	A07	2004-0253273	12/16/04	Palese et al.	
	A08	2007-0122430	05/31/07	Shneider et al.	
	A09	2007-0172929	07/26/07	Maassab et al.	
	A10	2008-0050402	02/28/08	Zhou et al.	
	A11	2008-0234175	09/25/08	Montelione et al.	
	A12	2009-0028901	01/29/09	Palese et al.	
	A13	2009-0053264	02/26/09	Palese et al.	
	A14	5,674,502	10/07/97	Ennis et al.	
	A15	5,820,871	10/13/98	Palese et al.	
	A16	6,146,642	11/14/00	Garcia-Sastre et al.	
	A17	6,146,873	11/14/00	Kistner et al.	
	A18	6,300,090	10/09/01	Steinman et al.	
	A19	6,544,785	04/08/03	Palese et al.	
	A20	6,800,288	10/05/04	Ferko et al.	
	A21	6,884,414	04/26/05	Palese et al.	
	A22	7,344,722	03/18/08	Maassab et al.	
	A23	7,494,659	02/24/09	Katinger et al.	
	A24	7,494,808	02/24/09	Palese et al.	

FOREIGN PATENT DOCUMENTS						
*Examiner Initials		Foreign Patent Document Country Code, Number, Kind Code (if known)	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	B05	WO 02/24876	03/28/02	Polymun Scientific Immunbiologische Forschung GmbH		
	B06	WO 01/64860	09/07/01	Polymun Scientific Immunbiologische Forschung GmbH		

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### NON PATENT LITERATURE DOCUMENTS

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	C41	GORSE et al., 1995, "Increased anti-influenza A virus cytotoxic T cell activity following vaccination of the chronically ill elderly with live attenuated or inactivated influenza virus vaccine", J. Infect. Dis. 172:1-10	
	C42	GORSE et al., 1990, "Enhancement of anti-influenza A virus cytotoxicity following influenza A virus vaccination in older, chronically ill adults", J. Clin. Microbiol. 28: 2539-50	
	C43	HAMZAWI et al., 1981, "Antigenicity in hamsters of inactivated vaccines prepared from recombinant influenza viruses," J Hyg (Lond). 87(3):453-64. [Abstract disclosed as reference DE]	
	C44	KRYSTAL M. et al., 1983, "Sequential mutations in the NS genes of influenza virus field strains." J Virol 45(2):547-54. [Abstract disclosed as reference DF]	
	C45	LUCAS WT. et al., 1988, "Characterization of a unique protein produced by influenza A virus recovered from a long-term persistent infection." Virology. 166(2):620-3. [Abstract disclosed as reference DD]	
	C46	PALESE et al., 1999, "Learning from our foes: a novel vaccine concept for influenza virus", Arch Virol Suppl. 15:131-8	
	C47	QIAN et al., 1995, "An amino-terminal polypeptide fragment of the influenza virus NS1 protein possesses specific RNA-binding activity and largely helical backbone structure", RNA 1:948-56	
	C48	YOUNG et al., 1983, "Efficient Expression of Influenza Virus NS1", Proc. Natl. Acad. Sci. 80:6105-9	
	C49	INTERNATIONAL Preliminary Examination Report for PCT/US99/13142, dated August 9, 2000	
	C50	INTERNATIONAL Preliminary Examination Report for PCT/US99/13144, dated November 28, 2000	
	C51	International Search Report for PCT/US99/13144, dated October 21, 1999	
	C52	International Search Report for PCT/US99/13142, dated October 21, 1999	
	C53	PCT/US99/13139: International Search Report, dated October 28, 1999, and International Preliminary Examination Report, dated September 12, 2000	
	C54	European patent application No. 99927445: Response to November 14, 2007 Communication pursuant to Article 96(2) EPC, dated May 26, 2008	
	C55	European patent application No. 99927445: Communication pursuant to Article 96(2) EPC, dated November 14, 2007	
	C56	European patent application No. 99927445: Response to May 26, 2006 Communication pursuant to Article 96(2) EPC, dated December 5, 2006	
	C57	European patent application No. 99927445: Communication pursuant to Article 96(2) EPC, dated May 26, 2006	
	C58	European patent application No. 99927445: Response to March 21, 2005 Communication pursuant to Article 96(2) EPC, dated September 30, 2005	
	C59	European patent application No. 99927445: Communication pursuant to Article 96(2) EPC, dated March 21, 2005	
	C60	European patent application No. 99927445: European Search Report, dated November 11, 2004	
	C61	Written Opinion PCT/US99/13142, dated May 3, 2000	
	C62	Written Opinion PCT/US99/13139, dated June 14, 2000	
	C63	Written Opinion PCT/US99/13144, dated July 25, 2000	
	C64	U.S. application 09/724,419: Notice of Allowance, dated May 27, 2004	

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	C65	U.S. application 09/724,419: Amendment Under 37 C.F.R. § 1.116, dated February 26, 2004	
	C66	U.S. application 09/724,419: OFFICE Action, dated August 26, 2003	
	C67	U.S. application 09/724,419: Amendment Under 37 C.F.R. § 1.111, dated June 11, 2003	
	C68	U.S. application 09/724,419: OFFICE Action, dated February 11, 2003	
	C69	U.S. application 09/724,419: Amendment Under 37 C.F.R. § 1.111, dated December 31, 2002	
	C70	U.S. application 09/724,419: OFFICE Action, dated July 2, 2002	
	C71	U.S. application 09/724,419: Amendment Under 37 C.F.R. § 1.111, dated April 19, 2002	
	C72	U.S. application 09/724,419: OFFICE Action, dated December 19, 2001	
	C73	U.S. application 09/332,286: Notice of Allowance dated January 17, 2003	
	C74	U.S. application 09/332,286: Amendment Under 37 C.F.R. § 1.116, dated August 12, 2002	
	C75	U.S. application 09/332,286: OFFICE Action, dated February 13, 2002	
	C76	U.S. application 09/332,286: Amendment Under 37 C.F.R. § 1.111, dated November 8, 2001	
	C77	U.S. application 09/332,286: OFFICE Action, dated May 8, 2001	
	C78	U.S. application 09/332,286: OFFICE Action, dated December 6, 2000	
	C79	U.S. application 09/332,286: Amendment Under 37 C.F.R. § 1.116, dated November 24, 2000	
	C80	U.S. application 09/332,286: OFFICE Action, dated May 23, 2000	
	C81	U.S. application 09/332,286: Amendment Under 37 C.F.R. § 1.111, dated March 6, 2000	
	C82	U.S. application 09/332,286: OFFICE Action, dated October 4, 1999	
	C83	U.S. application 09/332,287: Notice of Allowance, dated May 28, 2002	
	C84	U.S. application 09/332,287: OFFICE Action, dated April 15, 2002	
	C85	U.S. application 09/332,287: Supplemental Amendment Under 37 C.F.R. § 1.116, dated April 12, 2002	
	C86	U.S. application 09/332,287: Supplemental Amendment Under 37 C.F.R. § 1.116, dated April 10, 2002	
	C87	U.S. application 09/332,287: Amendment Under 37 C.F.R. § 1.116, dated March 25, 2002	
	C88	U.S. application 09/332,287: OFFICE Action, dated October 25, 2001	
	C89	U.S. application 09/332,287: Amendment Under 37 C.F.R. § 1.111, dated September 14, 2001	
	C90	U.S. application 09/332,287: OFFICE Action, dated March 14, 2001	
	C91	U.S. application 10/314,569: Notice of Allowance, dated January 21, 2005	
	C92	U.S. application 10/314,569: Amendment Under 37 C.F.R. § 1.116, dated September 17, 2004	
	C93	U.S. application 10/314,569: OFFICE Action dated April 20, 2004	
	C94	U.S. application 10/314,569: Amendment Under 37 C.F.R. § 1.111, dated January 26, 2004	
	C95	U.S. application 10/314,569: OFFICE Action dated August 26, 2003	
	C96	U.S. application 10/945,718: Notice of Allowance, dated October 16, 2008	
	C97	U.S. application 10/945,718: Amendment Under 37 C.F.R. § 1.111, dated April 7, 2008	
	C98	U.S. application 10/945,718: OFFICE Action, dated October 5, 2007	
	C99	U.S. application 10/945,718: Amendment Under 37 C.F.R. § 1.111, dated November 28, 2006	
	C100	U.S. application 10/945,718: OFFICE Action, dated August 29, 2006	

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	C101	U.S. application 10/945,718: Reply Under 37 C.F.R. § 1.111, dated May 10, 2006	
	C102	U.S. application 10/945,718: OFFICE Action, dated January 10, 2006	
	C103	U.S. application 10/945,718: Reply Under 37 C.F.R. § 1.111, dated October 24, 2005	
	C104	U.S. application 10/945,718: OFFICE Action, dated June 22, 2005	
	C105	U.S. application 09/332,288: Notice of Allowance, dated August 6, 2003	
	C106	U.S. application 09/332,288: Amendment Under 37 C.F.R. § 1.116, dated July 21, 2003	
	C107	U.S. application 09/332,288: OFFICE Action, dated February 21, 2003	
	C108	U.S. application 09/332,288: Amendment Under 37 C.F.R. § 1.111, dated December 4, 2002	
	C109	U.S. application 09/332,288: OFFICE Action, dated June 4, 2002	
	C110	U.S. application 09/332,288: Examiner's Amendment, dated May 31, 200	
	C111	U.S. application 09/332,288: Amendment Under 37 C.F.R. § 1.111, dated March 7, 2002	
	C112	U.S. application 09/332,288: OFFICE Action, dated November 7, 2001	
	C113	U.S. application 09/332,288: Amendment Under 37 C.F.R. § 1.111, dated August 22, 2001	
	C114	U.S. application 09/332,288: OFFICE Action, dated February 22, 2001	

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